

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STATE OF MICHIGAN,

CASE NO. 1:24-cr-00115-HYJ

Plaintiff,

v.

HON. HALA J. JARBOU

BRIAN WILLIAM KEELY,

Defendant.

DEFENDANT'S MOTION FOR ISSUANCE OF A SUBPOENA DUCES TECUM
PURSUANT TO RULE 17(c)

Brian William Keely, through counsel, respectfully moves this Court to enter an Order directing that a subpoena duces tecum be issued to Michigan State Police pursuant to Rule 17(c) of the Federal Rules of Criminal Procedure, and that The Stat of Michigan and/or the Michigan State Police Office be required to provide the inspection of the material physical evidence on March 28, 2025 at 1:00 p.m., in order to allow the parties potential expert to inspect the physical property to allow sufficient time to prepare for hearing. The grounds for this Motion, including the subpoena to be issued, are set forth:

1. A hearing on this matter is set for April 21, 2025.
2. A material piece of evidence in this case is the KM8R1DHE0MU274157
2021 Hyundai Palisade, Gray in color, with State of Michigan Registration Plate
Number DYX4301
3. The Defense had requested and was approved by the Attorney General for the
State of Michigan to allow the Defense team to inspect the vehicle on March 28, 2025 at 1:00
p.m.

4. On March 17, 2025 Assistant Attorney General Orande Patterson emailed Defense counsel and stated that the inspection was canceled.

5. Although counsel scheduled this inspection by agreement, the State has indicated they will not allow the Defendant to inspect the vehicle at issue without prior vetting of Defendant's potential expert over a two week period.

6. The Defendant requests the issuance of the subpoena duces tecum to the State of Michigan and the Michigan State Police so that Defendant may inspect a material piece of evidence in this matter.

WHEREFORE, Defendant request this Honorable Court order that the attached subpoena duces tecum be issued by the clerk of the court.

Respectfully submitted,

Date: March 28, 2025

/s/ Marc E. Curtis
Attorney, Marc E. Curtis (P59275)
Defender of the Blue